

REMARKS

Applicant has amended claims 1, 7-10, 23-24, canceled claims 21-22 and added claims 26-27 to better encompass the full scope and breadth of the invention notwithstanding Applicant's belief that the claims would have been allowable as originally filed. Accordingly, Applicant asserts that no claims have been narrowed within the meaning of *Festo*.

I. Pro Se Applicant Request For Constructive Assistance

If, for any reason the claims of this application are not believed to be in full condition for allowance, pro se applicant respectfully requests the constructive assistance and suggestions of the Examiner in drafting one or more acceptable claims pursuant to MPEP §707.07(j) in order that this application can be placed in allowable condition as soon as possible and without need for further proceedings.

II. Examiner Interview Thursday June 24, 2004

Proposed revisions to Claims 1-25 were discussed with Examiner. Though distinctions were made over Quatse and Trell during interview, Examiner expressed that revised claim 1 reviewed at the time of interview amounted to only a business offer because there was no language in proposed revision to support the question of what constitutes a second phone number being meaningful to the subscriber.

The meaning comes from the relationship between first and second phone number. The relationship is a mnemonic one, meaning that the second phone number is made easier to remember by the subscriber having the first phone number, which is neither taught by Quatse nor Trell. Claims have been amended to more distinctly convey this mnemonic relationship. Therefore, entry of the amendments is respectfully requested since they do not require further searching, and/or place the subject application in condition for allowance.

III. Rejection of Claims 1-25 Under 35 U.S.C. §103(a) as being unpatentable over Quatse in view of Trell and in view of Kamel

Claims 1-25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Quatse (Reference A) U.S. Patent 5,991,368 in view of Trell (Reference B) U.S. Patent 6,393,117 and in further view of Kamel, et al. US 5,937,037. Applicant have removed references to subscriber profile

which is not a necessary element in the independent claims to overcome prior art. Applicant respectfully requests reconsideration of this rejection for at least the following reasons.

Examiner bundles Claim 1, and 21-24 to make an argument that Reference A (Col. 1 lines 51-52, col 3 lines 10-16 and lines 32-33, and col. 5 lines 10-12) and Reference B (Col. 1 lines 49-50 and col 5 lines 44-50) shows, in combination, how Quatse and Trell obviate Applicant. The argument is primarily targeted to Claim 23 but only generalized with regard to Claim 1.

Claim 1 and Claim 23 are not same rationale

Examiner has rejected Claim 1 under same rationale as Claim 23. Applicant has already stated in the most recent OA response that the Claims 1 and 23 are of different rationale. Claim 1 is a provider initiated notification whereas in Claim 23, notification is in response to a request initiated by a subscriber. Examiner has not responded as to why he sees Claim 23 and Claim 1 as same rationale.

Claim 1

Unlike prior art, Applicant teaches a provider initiated notification and alert system to inform a subscriber of a telephone number concerning additional telephone numbers available for subscription and particularly of such additional telephone numbers that are mnemonically related to the subscriber's existing phone number. Neither Quatse nor Trell read on the first recited step of Claim 1, "generating at least one second phone number that is mnemonically related to said first phone number".

Quatse teaches providing additional information to a calling party, however such information does not determine whether a calling party might be interested in subscribing to another telephone number whereas *Claim 1 does not in any way rely on a calling party*. Trell teaches offering of an additional telephone number *but Trell relies on at least two conditions including a calling party having knowledge of such service and such a calling party initiating a call to such service*. Quatse and Trell do not teach all steps of Claim 1, alone or in combination, nor teach or contemplate any kind of provider initiated notification service suggesting to a subscriber the subscription of additional telephone numbers that are mnemonically related to the telephone subscriber's phone number.

Additionally, dependent Claims 2-20, inclusive, incorporate all the subject matter of Claim 1 and add additional subject matter, which makes them, a fortiori, independently patentable over these references. In light of the above, it is Applicant's belief that *Examiner does not establish a prima facie case of obviousness* under 35 U.S.C. §103.

Claim 23

Trell does not teach the last recited step of Claim 23, "communicating with said calling party to determine whether said calling party may be interested in subscribing to one of a said phone number and any available phone number mnemonically related to said phone number" for at least a few reasons. First, **Trell does not initiate communication** with a calling party. For the fact that a subscriber initiates communication to the service of Trell there is no step needed to communicate and determine an interest level of subscriber. The subscriber is by default interested for the fact, that the subscriber initiated use of the service.

Examiner states that "it would have been obvious to one of ordinary skill to modify Quatse to include determining whether said calling party may be interested in subscribing to any available phone number, because the subscription would generate additional revenue to telephone companies, as specifically stated in Trell (col 5, lines 44-50)". It is already a known fact that subscribing to a telephone number will generate additional revenue to a telephone company and has nothing to do with anything taught by Trell. It is already known in the art that a subscriber can initiate contact with a telephone company at any time to request an additional telephone number. The teaching of Applicant has everything to do with the precise condition as to when and why such additional revenue can be made. It is not enough that all forms of revenue generation at any time would obviate such specific conditions for making such offering. Trell has failed to suggest, imply, or teach a motivation to combine both teachings.

For the sake of argument, even if Trell taught the last recited step of Claim 21 there would be no need for Quatse to have combined Trell because when Quatse notifies that the area code of the first phone number will change does not influence the need of the subscriber to have a reason to consider the availability of other phone numbers and there is no sense in pitching the dialed phone number the calling party since the dialed phone number will soon be no longer available for subscription once the area code change takes effect.

Therefore it is Applicant's belief that *Examiner does not establish a prima facie case of obviousness* under 35 U.S.C. §103.

Claim 24

Again Applicant teaches a provider initiated notification system which neither Quatse nor Trell teach. More specifically, neither Quatse nor Trell teach notification based on a specific relationship as to how a list of prospects are generated with respect to a list of phone numbers that have been determined available for subscription.

Furthermore, dependent Claim 25 incorporates all the subject matter of Claim 24 and add additional subject matter, which makes them, a fortiori, independently patentable over these references. In light of the above, it is Applicant's belief that *Examiner does not establish a prima facie case of obviousness* under 35 U.S.C. §103.

New Claims 26 and 27 are similar in rationale to Claim 1

Similarities between claims are that they are provider initiated notification methods. In short, Applicant teaches matching mnemonic relationships between identifiers that are available for subscription and identifiers that are not available for subscription. In Claim 1 the mnemonic relationship is generated from a known subscriber phone number whereas in Claim 26 and 27 available phone numbers are discovered and then matched to subscriber phone numbers that have such mnemonic relationship.

Dependent Claim 10

Examiner argues non-functional language. Dependent Claim 10 has been amended to overcome such argument. Applicant contends that the relationship between first and second phone number is key to this invention. It is precisely when the first and second phone numbers are mnemonically related that makes it easier for subscriber to remember both phone numbers and assigning a form of meaning or significance to the proposed second phone number.

IV. Notice of References Cited, PTO-892

Applicant has carefully reviewed the references cited but not applied. Applicant respectfully submits that none of those references, alone or in any combination, remedy the deficiencies of the applied art, nor teach or suggest the claimed invention alone or in any combination.

V. Conclusion

For all of the above reasons, the present application and pending claims 1-20, 23-27, as amended, are believed to be in condition for allowance. Applicant respectfully requests the Examiner to issue a formal Notice of Allowance directed to claims 1-20, 23-27, inclusive.

Should the Examiner believe that a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact the Applicant at the telephone number listed below.

Respectfully submitted,



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